



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

VIRGINIA IN 1658-1662.

(Abstracts by W. N. SAINSBURY, and copies in the McDonald and De Jarnette Papers, Virginia State Library.)

(CONTINUED)

ORDER OF THE PROTECTOR AND COUNCIL, AUGUST 3, 1658.

Order of his Highness & Council on petition of the Merchants and Traders to Virginia & the rest of the English Plantations in America for enforcing the laws for suppression of the planting of English tobacco, that some hundreds of persons weaponed did tumultuously meet in some parts of Gloucestershire in opposition to those who are employed for putting said laws in execution to the endangering of bloodshed, Ordered that letters be written to the Sheriffs of the County and the Captains of the Militia Troops in that County to give their best assistance for suppressing said Disorders and preventing the like for the future and for the effectual execution of said laws.

(*Interregnum Entry Book*, Vol. 106, pp. 772-3.)

ORDER* OF THE PROTECTOR AND COUNCIL, AUGUST 31, 1658.

Order of his Highness & Council on petition of divers Merchants and Planters of his Highness Colony of Virginia, showing the loose and distracted condition of that Colony

* So far as the records show this was the last time that the Colony of Virginia was a subject of discussion by the English government before the Restoration. At this time Cromwell's health had begun to fail and he was greatly distressed by the illness of his favorite daughter, Mrs. Claypole, who died on August 6th. After his daughter's death his illness took a turn for the worse, and though there were times when recovery was hoped for, there was no real improvement. On September 2nd he died. From the beginning of his illness until the King was restored,

and the inconvenience that may ensue if the ships now going should depart without some declaration concerning the settling of the Govern't there and praying that the Council's pleasure may be signified to the present Governor and Council to apply themselves with all care and circumspection to the peaceable & orderly management of the affairs thereof, as also Draft of a letter prepared according to the tenor of the said desire, Ordered that a letter be sent to the present Govern'r & Council of Virginia draft of which follows to the purport above.

In the margin is written, "vide another letter Sept. this being vacated by his Highness' death."

(*Interregnum Entry Book*, Vol. 106, pp. 817-8.)

THE KING'S WARRANT TO HIS ATTORNEY OR SOLICITOR GENERAL, JUNE 17, 1660.

To forthwith prepare a Bill for his Maj. Royal Signature to pass the Great Seal containing a Grant to Sir William Berkeley, Knt. of the place of Governor of Virginia with power to appoint fit persons for the Council there in as large ample and beneficial manner as Sir John [Francis]

England had no leisure to attend to colonial affairs, so no farther action was taken, and Virginia and other colonies were left to manage their own affairs. The unsettled conditions in Virginia which are referred to in the text were doubtless the proceedings of the House of Burgesses in March, 1657-8, when the power of the Governor to dissolve the Assembly was denied by the House, his offer to refer the legality of it to the Protector pronounced unsatisfactory and finally the offices and authority of Governor Mathews and his councillors taken away from them, but restored to be held subject to the control of the Assembly. The exact cause of this action of the House of Burgesses is unknown. Though the Governor's offer to refer the dispute to the Protector was pronounced unsatisfactory, yet when the House assumed control the Speaker issued his writs in the name of the Lord Protector. The Assembly met on March 13. The last news the members had from England must have dated from about the first of the year, when England was full of excitement over the probability that Cromwell would be offered the crown and that he would accept it. Possibly this belief, in some way, may have affected their action.

Wyat, said Sir Wm. Berkeley or any other Governor formerly held, together with such other provisions, clauses and conditions as were contained in his Maj. former Grant and Commission to said Sir Wm. Berkeley for the better government of the said place.

Signed by Charles R. and By his Maj. command Edw. Nicholas.

(*Colonial Papers*, Vol. 14, No. 7.)

APPOINTMENT OF EDWARD SCARBURGH,* SURVEYOR GENERAL, JANUARY 20 1665-7.

Warrant from the King to Edward Earl of Clarendon, Lord Chancellor to cause Letters Patents under the Great Seal to be passed to the following effect:— The King grants to Edmund Scarburgh the Office and Place of his Maj. Surveyor General of the Plantation of Virginia, with all the fees profits and advantages thereunto belonging and therewith heretofore usually received and enjoyed.

“Recepi 19 March 1666”-7.

(*Privy Seals 19 Chas. II*, No. 366.)

PETITION OF JAMES NEALE,† MAY (?), 1667.

Petition of James Neale to the King For an answer to his request presented at Breda when the reply was that his Majesty would grant no places till his return to England, but would then consider him.

* Col. Edmund Scarborough, of Northampton and Accomac counties, long one of the leading men of Virginia. He was member of the House of Burgesses 1642, 1644, 1645, 1647, 1652, 1659, 1660-61; Speaker 1645; Surveyor-General of Virginia 1655. He died in 1670 or 1671. See this Magazine, IV, 316-318.

† Captain James Neale (1615-1684) was member of the Council of Maryland 1643-44, 1661-1662; Commissioner of the Treasury 1643; Burgess for Charles county 1665-66, and Captain of Provincial Forces of Maryland. He was never Treasurer of Virginia.

Annexed

Petition of James Neale to the King For the Office of Treasurer of Virginia void by the death of Jerome Hawley. He and his father lost blood and estate in His Majesty's service and now joyfully expect his speedy restitution.

With order thereon as above.

(*Domestic Charles II.*, Vol. I, No. 132.)

PETITION OF JOHN CLARKE AND HENRY HARLINGE TO THE
KING, NOVEMBER (?), 1660.

For letters patent to keep a Register Office for all servants and children to be transported to Virginia and Barbadoes, to which office all shall be brought under penalty, to declare their willingness to go, in order to prevent the abuses of forcible transportation of persons without their own or their parents' consent.

(*Domestic Charles II.*, Vol 22, p. 138.)

Petition of John Cole, Master of the Ship May Flower of London, bound for Virginia, to the Council, November ? 1660. For leave to transport 100 passengers and provisions for their use and that of the plantation.

Annexed

Note of the provisions required for the fore said ship.

(*Domestic Charles II.*, Vol. 22, p. 141.)

MINUTES OF COUNCIL FOR FOREIGN PLANTATIONS, INNER
COURT OF WARDS, FEBRUARY 11, 1661.

Minutes of the Council for Foreign Plantations. Letter ordered to be sent to the Governor & Council of Barbadoes. [*N. B. Copy of same ordered to be sent to the Governor &*

Council of Virginia, Feb. 18, with additions then made which see.—The King has appointed them under the Great Seal a standing Council to take into consideration the present & future condition of Foreign Plantations, not only as regards their inspection & management but their manufactures navigation and commerce. They are to take especial care for the preservation of union & public peace upon the grounds on which they subsisted and prospered before the island was disturbed by the Fleet sent against it in 1651.—To send an account of their means of defence the strength of their forts and conduct of their Militia, how such public charges are borne, in what manner the payments are raised, and by whom disposed of.—To draw up with the assistance of the judges the method of Government and the heads at least of the laws customs and constitutions by which public justice is administered. To give a conjectural account of the number of Inhabitants and their increase or decrease for the last seven years; the number of freeholders, conditional servants and blacks also the number necessary by way of yearly supply to the use of the island. What commodities are chiefly planted by the inhabitants and what seem most worthy of prosecution and encouragement. The number of ships that have traded there the past year, their burthen & commodities—To carry into execution the inclosed late Act of Parliament for increase of Navigation. To take every opportunity to contribute to the defence, welfare or increase of Jamaica by allowing such as have been servants freely to go there. Especially to admonish the Govern'ts of the several Colonies and inhabitants that above all things they prosecute the reformation of debaucheries and licentious conservations the ill example of which brings scandal upon Christianity and deters others from esteeming it. All religious exercises according to the profession of the Church of England to be enjoined and practiced and learned & orthodox Ministers encouraged to come among them it being to the shame of a rich and flourishing people to be without a Ministry proportionable to

their numbers and conditions, necessary not only for themselves but for the winning such as are purchased by them as slaves to the Christian faith and making them capable of being baptized therein. The King's Declaration from Breda is sent, also an Act of Indemnity and they are urged to endeavor to lay aside animosities begotten by the late distracted and unsettled times & unite affectionately so that former differences be buried in oblivion. Letter prepared for Virginia to be directed to Gov. Sir W. Berkeley & Council & read at next meeting.—Petition of Col. Tuke touching an Office proposed to be erected for registering servants to be sent to the Plantations read & ordered to be considered on 18th Inst.

(3 pp. *Colonial Papers*, Vol. 14, No. 59, pp. 15-17.)

MINUTES OF THE COUNCIL FOR FOREIGN PLANTATIONS,
INNER COURT OF WARDS, FEBRUARY 18, 1661.

The Lords of the Privy Council, who are Members of this Council, to be desired to attend on 25th Inst. to debate on Col. Tuke's petition and proposals concerning the registering of planters & servants going to the Foreign Plantations. Copy of Letter to be sent to Virginia to the same effect as the letter for Barbadoes (see note, 11 Feb., 1661), but with these additions that the Governor and Council of Virginia be recommended to instruct some planters or others well acquainted with their affairs to represent them in England; that they apply themselves to the increase and improvement of flax, silk and other manufactures and enforce all laws for the planting of such commodities and white mulberry trees to which they are also to give every encouragement. To inform the Council how many Parishes the Country is divided into how many are supplied with Ministers and what allowances they receive: also to consider of proposals to encourage others to go to them with a certain livelihood and subsistence.

(3½ pp., *Colonial Papers*, Vol. 14, No. 59, pp. 18-21.)

MINUTES OF THE COUNCIL FOR FOREIGN PLANTATIONS,
INNER COURT OF WARDS, JUNE 3, 1661.

Petition of Barker and a paper of Reasons annexed, also another paper of Proposals formerly presented by Col. Tuke being debated, a Committee is appointed to consider of the best ways of encouraging and furnishing people for the Plantations and how felons condemned to death for small offences and single persons men and women found to be sturdy beggars may be disposed of for that use and to consider of an Office of Registry for same and for the preventing of stealing of men, women or children from their Masters and Parents and that the Justices of the Peace may be empowered at the General Sessions or Assizes to dispose of loose and disorderly people for the supply of the Foreign Plantations.

(1 p. *Colonial Papers*, Vol. 14, No. 59, pp. 30-31).

MINUTES OF THE COUNCIL FOR FOREIGN PLANTATIONS,
INNER COURT OF WARDS, AUGUST 5, 1661.

Debate on the letter sent from this Council to Virginia: Sir William Berkeley desired to bring in writing such an account of Virginia and propositions for the advantage of that Plantation as to him shall seem fit.

(1 p. *Colonial Papers*, Vol. 14, No. 59, p. 36).

WARRANT TO PAY SIR WM. BERKELEY, SEPTEMBER 12, 1661.

Warrant to pay to Sir William Berkeley £2000, out of the duties and customs arising out of the next ships for Virginia in recompense of his services as Governor of Virginia. [Docquet.]

N. B. There is another copy of this Docquet dated Sept. 16, to pay the same amount "in consideration of the many faithful and good services performed by him as Governor of Virginia and in full recompense of all other engagements from His Majesty and his Father of blessed memory."

PETITION OF JOHN, SON OF THOMAS WOODWARD,*
NOVEMBER, 1661.

Petition of John son of Thos. Woodward to the King. To be put into possession of the house and office of Assay Master of the Mint, held by his father till the late troubles, when John Bradshaw, so called President of the Council of State, on Oct. 23, 1649, dismissed him for refusing obedience to the usurped powers and put in Samuel Bartlett, on this his father went to Virginia publicly declaring that he would not see England again until his Majesty's return, is forthwith sending him the joyful news and wishes to keep the office for him till his return, or if he be dead, to have a grant of it for himself.

(*Domestic Charles II*, Vol. 44, No. 17.)

N. B. John Woodward's petition was granted and he died about July, 1665.

see the King's letter to the Wardens &c of the Mint of 12 July 1665.

* Thomas Woodward, Assayer of the Mint in London, was a royalist, and was dismissed by the Parliamentary authorities in 1649, when he came to Virginia. At the Restoration he and his son John were appointed assay-masters, but Thomas Woodward remained in Virginia and 1664-5 was appointed the first surveyor-general of Carolina. Between 1659 and 1673 Thomas Woodward and Thomas Woodward, Jr., patented large tracts of land in Isle of Wight county. In November, 1652, after the Virginia government had submitted to Parliament, John Pyland, a member for Isle of Wight, was expelled, and committed to prison to answer charges against him as "abettor of Mr. Thomas Woodward, in his mutinous and rebellious declaration." (*Hening*, I, 374, 375.) Evidently this "declaration" was against the Parliament.

In the records of Isle of Wight county is an entry stating that Thomas Woodward, Jr., died intestate and that by order of the court of that county, March 18, 1680, Katherine Woodward, widow, (in right of her son John Woodward, the next brother) was granted administration on the estate.

PETITION OF MERCHANTS, ETC., JANUARY 6, 1662. (?)

Petition of Merchants, Traders, Planters, Owners and Masters of ships and others trading to Virginia and Maryland to the King. Setting forth their reasons for praying that His Majesty will for the future command that no ships be suffered to depart from Virginia or Maryland with any Tobacco except in the months of May, June, July and August yearly. Signed by John Jeffreys, Wm. Allen and 39 others. Indorsed "Rec'd Jan'y 8."

(*Colonial Papers*, I, p.)

PETITION OF LADY DE LAWARR,* FEBRUARY 24, 1662.

Petition of Cicely, Dowager Lady De Lawarr to the King. For the renewal for the life of her daughter Jane West, of a pension of £300 a year for 31 years, granted her by King James, in recompense of the service of Thos. Lord De Lawarr, her husband, who at his own loss, advanced the plantation of Virginia, when it yielded nothing, to a great advantage. With reference thereon to the Lord Treasurer.

(*Domestic, Charles II*, Vol. 51, No. 12.)

LADY DE LAWARR'S CASE, SOUTH HAMPTON HOUSE, FEBRUARY 28, 1661-2.

Report of Lord Treasurer Southampton to the King. On petition of the Dowager Lady De La Ware setting forth her husband's great merit and the ruin to his fortune in first undertaking the plantations of Virginia, that King James in the 17th year of his reign granted to her & her executors a pension of £500 per ann: for 31 years payable out of the Customs from Virginia, which she duly received until the

*Thomas, Lord Delaware, Governor of Virginia, married Cecile, daughter of Sir Thomas Shirley, of Whiston, Sussex. His son and heir, Lord Delaware, married March, 1624-5, Isabella, daughter of Sir Thomas Edmunds.

troubles began in 1640 and praying that the same may be renewed to her daughter* Mrs. John West for her life. That by His Maj. reference of 24th Inst. he is directed to certify what is fit to be done herein. The sense he has of the present necessities of the Crown makes him a very unfit judge of the merits of any person, and he has at all times declined certificates of this nature, but has complied with whatever the King has commanded in grace to any single persons or families so far as public occasions would permit "which I hope is as much as Your Maj. will expect from me in the quality I serve you." Indorsed by Sir Ed. Nicholas. Warrant for a privy seal for a pension of £200 to Mrs. Jane West.

(*Colonial Papers*, 1 p.)

[Is this the wife of John West the Gov'r (later on), of the colony on Ashley River, (So. Carolina)?—W. N. S.]

WARRANT TO PAY JANE WEST, MARCH 20, 1662.

Warrant for a grant to Jane West daughter of the Dowager Lady De Lawarr of a pension of £200, a year in consideration of her mother's loss by discontinuation for 11 years, of a pension of £500, a year, granted her for her late husband's services in improving the plantation of Virginia.

(*Domestic Entry Book*, Vol. 5, p. 219.)

PETITION OF PLANTERS AND MERCHANTS OF VIRGINIA, [MAY 14, 1662].

Petition of the Planters and Merchants of Virginia to the King. Set forth the evils of the planting vast quantities of tobacco to remedy which they have unanimously resolved upon two expedients which they pray may be granted, viz. to prohibit the planting of any tobacco in Virginia and Mary-

* What were the laws the Civilians objected to does not appear.

land after 1 June 1663 which will encourage the more staple commodities of Silk, Flax, Hemp, Pitch & Pot-ashes and also that no ship depart from these Colonies before 1 May next except only that which shall carry Sir William Berkeley there.

Indorsed, "May 14, '62."

(*Colonial Papers*, 1 p.)

PETITION OF PLANTERS AND TRADERS, [MAY 26, 1662].

Petition of the Planters and Traders to Virginia to the King. Setting forth the great evils of the planting of the vast quantities of tobacco in England and Virginia and proposing as remedies that no tobacco be planted within the Capes of Virginia after 10 June 1663 until the grievance be remedied and no ship be permitted to sail from thence with tobacco before 1 May next. Indorsed. "Received May 26. Read June 26 and Ordered June 29, '62."

(*Colonial Papers*, 1 p.)

ORDER IN COUNCIL, MAY 26, 1662.

Order in Council upon the Petition of the Planters and Traders to Virginia for a cessation of planting tobacco &c, directing that said petition should be rejected *and that their Lordships would not henceforth receive any petition of that nature.*

Indorsed. "Read June 13, '62. This last clause vacated."

(*Colonial Papers*, 1 p.)

ORDER IN COUNCIL, JUNE, (?) 1662, ABOUT.

Order [in Council?] That Sir William Berkeley forthwith repair to his Govern't in Virginia and consult with

Lord Baltimore's Lieutenant in Maryland upon promoting the planting of Hemp, Flax & Silk &c, in those parts and the restraint of planting Tobacco, for which his Maj. letters are to be written.

(*Colonial Papers*, 1 p.)

PETITION OF MERCHANTS, SHIP-OWNERS, PLANTERS, ETC.,
[June 13, 1662].

Petition of Merchants, Owners of Ships, Planters, Traders to Virginia & others to the King. Set forth in their Reasons the many inconveniences and mischiefs that will befall his Maj'ty and his subjects if a petition against permitting any ships with tobacco to depart from Virginia or Maryland before 1 May next be granted and praying they may have a hearing before the Privy Council concerning said Petition. Inclose.

The Reasons mentioned in the above petition.

(*Colonial Papers together*, 3 pp.)

ORDER IN COUNCIL, JUNE 13, 1662.

Order in Council on petition of Planters and Traders to Virginia for restraint of planting tobacco after 10 June 1663 and allowing any ship to sail from Virginia with tobacco before 1 May next,—referring to a previous Order in Council rejecting said petition & declaring that henceforth they would receive no petition of that nature—Declaring it was not their intention to forbid or discourage the Merchants and Planters from making their addresses to them and ordering that the consideration of the whole matter should be resumed on 20th inst, when said Petitioners and Lord Baltimore are directed to attend.

(*Colonial Papers*, 1 p.)

MINUTES OF THE COUNCIL FOR FOREIGN PLANTATIONS, JULY
21, 1662.

Minutes of the Council for Foreign Plantations. Petition of Sir William Berkeley,* Governor of Virginia, having orders speedily to repair to his Govern't making proposals for the advancem't of that Plantation and reciting laws made there (by the Civilians called extravagant) with the reasons for making them which he prays may be considered amended or rejected as this Council should think fit, and another law added (as in said petition is more fully contained). Upon debate thereof and it appearing to be matter of great weight, it is ordered that all persons interested should be desired to attend on Monday next.

(1 p. *Colonial Papers*, Vol. 14, No. 59, pp. 45-46.)

MINUTES OF THE COUNCIL FOR FOREIGN AFFAIRS, AUGUST
4, 1662.

Minutes of the Council for Foreign Affairs. Upon debate of Sir Wm. Berkeley's proposals for the improvement of the Colony of Virginia this Council was inclined to proceed to some resolutions thereon, but wishing first to receive the fullest information they can upon said proposals, it is ordered that summonses be sent to the several Members of this Council to meet on Thursday and particularly that Messrs. Digges and Jefferies be desired to attend to give their advice they being experienced in the affairs and interests of that Colony.

(½ p. *Colonial Papers*, Vol. 14, No. 59, p. 46.)

MINUTES OF THE COUNCIL FOR FOREIGN PLANTATIONS,
AUGUST 11, 1662.

Minutes of the Council for Foreign Plantations. Question whether the Colony of Virginia should bear its own

charge and no longer be burthensome to the Crown; the Council of opinion it should bear its own charge and to advise the King to recommend to the Colony the levying and raising a revenue for that purpose. Upon debate of Sir W. Berkeley's petition and proposals concerning the advancing and promoting the staple commodities of silk, hemp, flax, potash and timber for shipping, it is ordered £100 per ann. as formerly be submitted to the King as the Governor's allowance with such increase as his Majesty shall judge requisite and that two shillings per hogshead of tobacco be continued to be paid to that purpose, but before presenting their judgment to the King all Planters and Merchants who can give their advice are directed to attend. Lord Baltimore is desired to attend in reference to a complaint of a secret trade by the Dutch with the English Plantations in tobacco.

(1½ pp. *Colonial Papers*. Vol. 14, No. 59, pp. 46-47).

(TO BE CONTINUED.)

VIRGINIA GLEANINGS IN ENGLAND.

Communicated by Mr. LOTHROP WITHINGTON, 30 Little Russell street, W. C., London (including "Gleanings" by Mr. H. F. WATERS, not before printed).

JOHN COLLYER of London, merchant and Clothworker. Will 18 December 1649; proved 8 January 1649-50 To be buried at Beddington in Surrey. One third of my goodes to Regina my wife, one third to my heir Charles Collyer, the remainder as follows: To my Brother Isaack Collyer I forgive £500 he owes me, to my nephew Isaacke Collyer Junr. £150. To my mother in law Mrs. Anna Semiliano £50. To her daughter my sister in law Mrs. Anna Maria £200. To my Brother in law Vincentio Malo £200 from which is to be deducted what he owes me for pictures. To Brother John Knight my interest in the house he now inhabits in Mark Lane and to my sister Mary his wife £20. To my couzins William and Mary Jurner £25. To